

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EATON CORPORATION,

Plaintiff,

Case No. 03-74844

vs.

HON. GEORGE CARAM STEEH

ZF MERITOR LLC, ARVINMERITOR,
INC. and ZF FRIEDRICHSHAFEN AG,

Defendants.

ORDER DENYING PLAINTIFF'S OBJECTIONS AND REQUEST TO SET
ASIDE MAGISTRATE JUDGE WHALEN'S MAY 18, 2007 ORDER

On May 18, 2007, Magistrate Judge Whalen entered an Order granting defendant's motion regarding re-issuance of letters of request for depositions of Albert Albers and Michael Frey. In his Order, Magistrate Judge Whalen directed plaintiff to strike five paragraphs in Section 2 of its letters, which purport to explain the Federal Rules of Evidence and argue the necessity of asking the very "exploratory questions" that the Central Authority found improper under German Hague Convention law.

Plaintiff filed objections to the Magistrate Judge's Order, seeking to keep the five paragraphs in the letters of request. This Court denies plaintiff's objections for the reasons stated by Magistrate Judge Whalen in his May 18, 2007 Order.

So ordered.

Dated: May 31, 2007

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 31, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk